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**MOSER
PATTERSON &
SHERIDAN, LLP**
— ATTORNEYS AT LAW

3040 Post Oak Blvd, Suite 1500
Houston, TX 77056-6582
TEL 713.623.4844
FAX 713.623.4846
WWW.MPSLLP.COM

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DATE: December 21, 2004
FILE NO: ROC920010109US1 (IBMK10109)
TO: Examiner Ronald Laneau
FAX NO: 703/872-9306
COMPANY: USPTO
FROM: Gero G. McClellan
PAGE(S) with cover: 12
ORIGINAL TO FOLLOW? ☐ YES ☒ NO

RESPONSE TO OFFICE ACTION DATED SEPTEMBER 21, 2004

U.S. SERIAL NO.: 09/865,371
FILING DATE: May 25, 2001
INVENTOR: Emerick et al.
EXAMINER: Ronald Laneau
GROUP ART UNIT: 3627
CONFIRMATION NO.: 3728

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Attv. Dkt No. ROC920010109US1

MPS Ref. No.: IBMK10109

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Emerick et al.

Serial No.: 09/865,371

Confirmation No.: 3728

Filed: May 25, 2001

**For: Method and Apparatus Upgrade
Assistance Using Critical
Historical Product Information**

Group Art Unit: 3627

Examiner: **Ronald Laneau**

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

CERTIFICATE OF FAX
37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to fax number 703/872-9306 to the attention of Examiner Ronald Laneau on the date below:

December 21, 2004

Date Gero G. McClellan

Dear Sir:

RESPONSE TO OFFICE ACTION DATED SEPTEMBER 21, 2004

In response to the Office Action dated September 21, 2004, having a shortened statutory period for response set to expire on December 21, 2004, please enter this response and reconsider the claims pending in the application for reasons discussed below. While no fees are believed due, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 09-0465 for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

The Claims are reflected in the listing which begins on page 2 of this paper.
Remarks/Arguments begin on page 10 of this paper.

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